

REMARKS

Claims 1-4 and 6-23 are pending. No new matter has been added by way of the present submission. For instance, a new Title of the Invention has been provided so as to clearly reflect all claimed subject matter. Claim 1 has been amended to clearly identify the fact that the second conductive film has light transmittance and so indicate that the second conductive film is wider than the first conductive film. Support for such limitations may be found in the present specification, for instance, reference is made to the paragraph bridging pages 7 and 8, page 13, second paragraph and Figures 1A, 1B, 5A and 5B. Parallel amendments have been made to claims 2 and 18. Additionally, claim 5 has been cancelled and claim 6 has been amended to depend upon claim 2. Further, claim 7 has been amended to clarify that the insulating layer comprises a photosensitive resin as supported by the present specification in the paragraph bridging pages 27 and 28. Claim 13 has been amended to remove the recitation of "or the insulating layer." Thus, no new matter has been added.

In view of the following remarks, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

Objection to the Title of the Invention

The Examiner has objected to the Title of the Invention, stating that it is not clearly indicative of the invention to which the claims are directed. Applicants traverse and submit that that a new Title of the Invention has been provided. If the Examiner does not believe that the new Title of the Invention is appropriate, the Examiner is respectfully requested to suggest a more appropriate Title of the Invention.

Objection to Claim 13

The Examiner has objected to claim 13 asserting that the recitation of “the insulating layer” is inappropriate. Applicants traverse and submit that claim 13 has been amended to remove this objectionable recitation. Thus, this objection is moot. Reconsideration and withdrawal thereof are respectfully requested.

Issue under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 5 and 6 under 35 U.S.C. § 112, second paragraph for reciting “a high-melting point metal.” Applicants traverse and submit that the claims no longer recite this phrase. Thus, this rejection is moot. Reconsideration and withdrawal thereof are respectfully requested.

Issue under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-6, 12 and 14-17 under 35 U.S.C. § 102(e) as being anticipated by Murakami, US 2004/0256979 (hereinafter referred to as Murakami ‘979). Applicants respectfully traverse this rejection.

Applicants respectfully submit that the presently pending claims are distinct from Murakami ‘979, thus, there exists no anticipation. For instance, in the device of Murakami ‘979, the conductive film **106a**, which the Examiner alleges to correspond to the “first conductive film” recited in the present claims, and the conductive film **106c**, which the Examiner alleges to correspond to the “second conductive film” recited in the present claims, are seen to have the same width. The Examiner is requested to consult Figure 1 of Murakami ‘979.

In contrast, independent claim 1 (as well as claims 2 and 18) requires that the second conductive film has light transmittance and is formed on the first conductive film so as to be wider than the first conductive film and so as to cover the first conductive film. For a rejection to constitute “anticipation”, all material elements of a claim must be found in the cited art reference. In re Marshall, 577 F.2d 301, 198 U.S.P.Q. 344 (CCPA 1978).

Applicants further point out that according to the present invention, since the second conductive film is formed on the first conductive film so as to be wider than the first conductive film so as to cover the first conductive film, corrosion of the first conductive film can be prevented.

The cited art fails to suggest both these claimed structural features as well as the superior results associated therewith. Accordingly, there exists no anticipation. The Examiner is thus requested to withdraw this rejection.

Issue under 35 U.S.C. § 102(a)/102(e)

The Examiner has rejected claims 7-9, 11 and 13 under 35 U.S.C. § 102(a) and § 102(e) as being anticipated by Murakami, U.S. 2004/0113544 (hereinafter referred to as Murakami ‘544). Applicants respectfully traverse this rejection.

Applicants respectfully submit that the presently pending claims are distinct from Murakami ‘544, thus, there exists no anticipation. For instance, the material of the 2nd insulating interlayer 119, which the Examiner alleges to correspond to the “insulating layer” recited in claim 7, is SiNx (see paragraph [0058] of Murakami ‘544). In contrast, the material of the “insulating layer” recited in present claim 7 comprises a photosensitive resin.

Therefore, independent claim 7, as well as claims dependent thereon, is not anticipated by Murakami '544. The Examiner is therefore requested to withdraw this rejection.

Issues under 35 U.S.C. § 103(a)

The Examiner has rejected claims 10 and 23 under 35 U.S.C. § 103(a) as being obvious over Murakami '544. Applicants respectfully traverse this rejection.

Regarding claim 10

Claim 10 depends upon independent claim 7 (discussed above as being distinct from Murakami '544) and further defines the thickness of the insulating layer. However, since Murakami '544 fails to suggest or disclose the present insulating layer comprising a photosensitive resin, claim 10 is distinct from Murakami '544 for the same reasons as discussed above with respect to claim 7. Thus, this aspect of the rejection is improper and should be withdrawn.

Regarding claim 23

Applicants respectfully submit that there exists no *prima facie* case of obviousness with respect to the subject matter recited in pending claim 23 based upon Murakami '544.

By way of explanation, Applicants point out that the first conductive film (light reflection film 72), the insulating layer (insulating layer 74), and the anode electrode (anode electrode 76) of the organic EL device of claim 7 (Fig. 14) correspond to the first conductive film (light reflection film 72), the second insulating layer (insulating layer 74), and the anode electrode (anode electrode 76) of the display apparatus of claim 23 (Fig. 19), respectively. The display apparatus of claim 23 (Fig. 19) further comprises a switching device (thin film

transistor) and a first insulating layer (e.g., interlayer insulating film 80) in addition to the components recited in claim 7. Therefore, the Examiner's allegation (third paragraph of page 8 of the Office Action) that the structural limitations in claim 23 are the same as those recited in claims 1-11 in addition to a switching device and a second insulating layer comprising a photosensitive resin is improper.

In the device of Murakami '544 (Fig. 2), the 2nd insulating interlayer **119** is positioned between the power line **110**, which the Examiner alleges to correspond to the "first conductive film" recited in claim 23, and the lower electrode **115**, which the Examiner alleges to correspond to the "anode electrode" recited in claim 23. In the display apparatus of claim 23 of the present application (e.g., see Fig. 19), the second insulating layer (e.g., insulating layer 74) is positioned between the first conductive film (e.g., light reflection film 72) and the anode electrode (e.g., anode electrode 76). The material of the 2nd insulating interlayer **119** of Murakami '544 is SiNx (paragraph [0058]), whereas the material of the second insulating layer recited in claim 23 of the present application is a photosensitive resin. Therefore, the invention of claim 23 is clearly distinguished from that disclosed in Murakami '544. The Examiner is therefore respectfully requested to withdraw this rejection.

The Examiner has also rejected claims 18-22 under 35 U.S.C. § 103(a) as being obvious over Murakami '979. The Examiner points out that the structural limitations of claims 18-22 are the same as recited in claims 1-6 discussed above. Applicants respectfully traverse this rejection.

As discussed above, in the device of Murakami '979, the conductive film **106a**, which the Examiner alleges to correspond to the "first conductive film" recited in the present claims, and

the conductive film **106c**, which the Examiner alleges to correspond to the “second conductive film” recited in the present claims, are seen to have the same width. However, claim 18 requires that the second conductive film has light transmittance and is formed on the first conductive film so as to be wider than the first conductive film and so as to cover the first conductive film. Further, since the second conductive film is formed on the first conductive film so as to be wider than the first conductive film so as to cover the first conductive film, corrosion of the first conductive film can be prevented.

Murakami '979 completely fails to suggest both these claimed structural features as well as the superior results associated therewith. Accordingly, there exists no obviousness. The Examiner is thus requested to withdraw this rejection.


In view of the above, Applicants submit that the present claims define allowable subject matter. The Examiner is thus requested to withdraw all rejections and allow the currently pending claims.

If the Examiner has any questions or comments, please contact Craig A. McRobbie (Reg. No. 42,874) at the number provided below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By  #42874

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